

## § 1252.410

(b) The Administrator will require any alternate recipient to demonstrate:

(1) The ability to comply with these regulations; and

(2) The ability to achieve the goals of the Federal statute authorizing the program or activity.

### § 1252.410 Exhaustion of administrative remedies.

(a) A complainant may file a civil action following the exhaustion of administrative remedies under the Act. Administrative remedies are exhausted if:

(1) 180 days have elapsed since the complainant filed the complaint and NASA has made no finding with regard to the complaint; or

(2) NASA issues any findings in favor of the recipient.

(b) If NASA fails to make a finding within 180 days or issues a finding in favor of the recipient, NASA will:

(1) Promptly advise the complainant of this fact; and

(2) Advise the complainant of his or her right to bring a civil action for injunctive relief; and

(3) Inform the complainant:

(i) That the complainant may bring a civil action only in a United States district court for the district in which the recipient is located or transacts business;

(ii) That a complainant prevailing in a civil action has the right to be awarded the costs of the action, including reasonable attorney's fees, but that the complainant must demand these costs in the complaint.

(iii) That before commencing the action the complainant shall give 30 days notice by registered mail to the Administrator, the Attorney General of the United States, and

(iv) That the notice must state: the alleged violation of the act; the relief requested; the court in which the complainant is bringing the action; and, whether or not attorney's fees are demanded in the event the complainant prevails; and

(v) That the complainant may not bring an action if the same alleged violation of the Act by the same recipient is the subject of a pending action in any court of the United States.

## 14 CFR Ch. V (1–1–01 Edition)

### § 1252.411 Age distinctions.

There are no Federal statutes or regulations containing age distinctions which affect financial assistance administered by the agency.

## PART 1253—NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

### Subpart A—Introduction

- Sec.
- 1253.100 Purpose and effective date.
  - 1253.105 Definitions.
  - 1253.110 Remedial and affirmative action and self-evaluation.
  - 1253.115 Assurance required.
  - 1253.120 Transfers of property.
  - 1253.125 Effect of other requirements.
  - 1253.130 Effect of employment opportunities.
  - 1253.135 Designation of responsible employee and adoption of grievance procedures.
  - 1253.140 Dissemination of policy.

### Subpart B—Coverage

- 1253.200 Application.
- 1253.205 Educational institutions and other entities controlled by religious organizations.
- 1253.210 Military and merchant marine educational institutions.
- 1253.215 Membership practices of certain organizations.
- 1253.220 Admissions.
- 1253.225 Educational institutions eligible to submit transition plans.
- 1253.230 Transition plans.
- 1253.235 Statutory amendments.

### Subpart C—Discrimination on the Basis of Sex in Admission and Recruitment Prohibited

- 1253.300 Admission.
- 1253.305 Preference in admission.
- 1253.310 Recruitment.

### Subpart D—Discrimination on the Basis of Sex in Education Programs or Activities Prohibited

- 1253.400 Education programs or activities.
- 1253.405 Housing.
- 1253.410 Comparable facilities.
- 1253.415 Access to course offerings.
- 1253.420 Access to schools operated by LEAs.
- 1253.425 Counseling and use of appraisal and counseling materials.